



Council Communication

Office of the City Manager

Date

September 11, 2006

Agenda Item No. 66

Roll Call No. 06-

Communication No. 06-583

Submitted by: Larry Hulse

Community Development Director

AGENDA HEADING:

Hearing on application for Voluntary Annexation from SW 9th Investments LLC, represented by James A. Sinclair, Manager, seeking the voluntary annexation by the City of Des Moines of approximately 17 acres of land in Warren County located west of County Highway R63 (SW 9th Street) and south of County Line Road.

SYNOPSIS:

The Application for Voluntary Annexation is consistent with the City's long-range plans for urban development of the area. Staff recommends approval of the Voluntary Annexation. If the annexation is approved by the City Council, and unless the Application for Voluntary Annexation is withdrawn by SW 9th Street Investments LLC within 5 business days after Council approval, the City Clerk shall forward a certified copy of the resolution and the accompanying exhibits to the City Legal Department who will seek approval of this voluntary annexation by the City Development Board in accordance with the procedures established in Iowa Code Chapter 368.

FISCAL IMPACT:

Amount: N/A.

Funding Source: N/A.

ADDITIONAL INFORMATION:

The territory proposed for annexation adjoins the boundaries of the City of Des Moines, and is located within two miles of the City of Norwalk. However, the territory is on the Des Moines' side of the annexation moratorium line established by resolution between the Cities of Des Moines and Norwalk.

The subject property was included within the Involuntary Annexation to the City of Des Moines (A98-03) that was approved by voters in November 2006. Due to a pending lawsuit regarding the Involuntary Annexation, the property owner has submitted a voluntary annexation petition for the subject property.

There are currently no structures on the subject property and it is currently utilized for agricultural production. The Des Moines' 2020 Community Character Land Use Plan currently designates the subject property as Planned Business Park. The subject property is within the Highway 5 / North River Master Plan study area. Upon annexation to the City of Des Moines, the subject property will be zoned "A-1", Agricultural. Future land use plan amendments and/or rezoning of the subject property will be necessary to accommodate urban development. There is minimal need for urban services to the subject property until such development occurs.

Notice of the proposed annexation was given to the Warren County Board of Supervisors and to the Greenfield Township Board of Trustees by letter of June 28, 2006, and they were invited to a consultation meeting with City staff to discuss the proposed annexation. Neither the county nor township sent representatives to the consultation meeting held on July 13, 2006.

Notice of the public hearing, was sent by certified or regular mail on August 9, 2006 to all affected utilities, to all other cities located within two miles of the property, to the Warren County Board of Supervisors and County Attorney, and to all applicants and owners of land adjoining the territory proposed to be annexed as required by Sections 368.5 and 368.7 of the Iowa Code.

Notice of the September 11, 2006 public hearing was published in the Indianola Record Herald & Tribune on August 9, 2006 as provided by law.

PREVIOUS COUNCIL ACTION(S):

Date: July 10, 2006.

Roll Call Number: 06-1337.

Action: Set Hearing for September 11, 2006.

BOARD/COMMISSION ACTION(S):

Date: N/A.

Roll Call Number: N/A.

Action: N/A.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Future requests for amendments to the 2020 Community Character Plan Land Use Designations and zoning map designations for the subject property.